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June 13, 2022

SENT VIA ECF

Hon. Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Ariel Tavaréz
1:19 Cr. 00690 (KPF)

Dear Judge Failla:

On behalf of my client, Ariel Tavaréz, I would respectfully request that sentencing, which is presently scheduled for June 27th, 2022, at a minimum be adjourned to July 13th or 14th. My preference, however, is that sentencing be adjourned to mid-August, 2022. The government consents to the requested July dates.

I make this request because, as a result of being sick with Covid in Late May for 3-weeks and observing the relative subsequent quarantine constraints, I haven't been able to meet with my client or his family to work on his sentencing submission, as I had scheduled from mid-May to Mid June. I mentioned the earlier dates being mindful of the government's desire to move forward with sentencing as soon as possible. I am starting a 3-4 week health care fraud Jury trial in the Eastern District before The Hon. Ann Donnelly on Monday on July 18th; needless to say, my Covid diagnosis has created a great deal of stress and required time consumption upon my schedule, as while preparing for trial, I will at the same time be meeting with Mr. Tavaréz in jail, and his family in preparation for his sentencing submission and hearing.

Accordingly, I would respectfully request that the Mr. Tavaréz' Sentence be adjourned into August, or thereafter to a convenient date for the Court.

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I do apologize for any inconvenience this request has caused.

The Court's consideration is greatly appreciated.

Respectfully,



Barry S. Zone

cc: AUSA Aline Flodr
AUSA Nicholas Chiuchiolo
AUSA Mollie Bracewell

Due to the extenuating circumstances posed by defense counsel's health condition, the Court GRANTS Defendant's adjournment request. Mr. Tavarez's sentencing, presently scheduled for June 27, 2022, is hereby ADJOURNED to **August 11, 2022, at 3:00 p.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. The Court stresses that defense counsel *must* organize his schedule to be prepared for this proceeding on that date.

In light of this adjournment, the Defense submission shall be due on or before July 28, 2022, and the Government submission shall be due on or before August 4, 2022.

The Clerk of Court is directed to terminate the pending motion at docket entry 235.

Dated: June 14, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE